

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. MARTIN SHANE WADDINGHAM, Defendant.	CR 20-102-BLG-SPW PRELIMINARY ORDER OF FORFEITURE
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WHEREAS, in the indictment in the above case, the United States sought forfeiture of property in the above-captioned person, pursuant to 18 U.S.C. § 924(d), any firearms and ammunition involved in any knowing violation of said offense;

AND WHEREAS, on May 11, 2021, the defendant entered a plea of guilty to count I of the indictment, which was accepted by this Court on May 11, 2021, which charged him with possession with intent to distribute methamphetamine in violation of 21 U.S.C. § 841(a)(1);

AND WHEREAS, the indictment contained a forfeiture allegation that stated that as a result of the offense charged in the indictment, the defendant shall forfeit the following property:

- Smith and Wesson, Model SW9VE pistol (serial number DSR6910) with magazine;
- Springfield XC .40 pistol magazine;
- ammunition.

AND WHEREAS, by virtue of said guilty plea, the United States is now entitled to possession of the property, pursuant to 18 U.S.C. § 924(d), and Rule 32.2(b)(2), Federal Rules of Criminal Procedure.

ACCORDINGLY, IT IS ORDERED:

1. That based upon the plea of guilty by the defendant to the indictment, the United States is authorized and ordered to seize the property described above. This property is forfeited to the United States for disposition in accordance with the law, subject to the provisions of 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

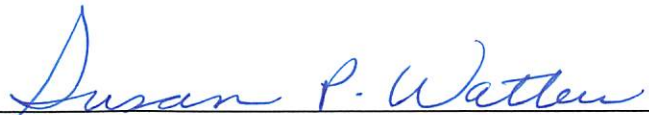
2. That the aforementioned forfeited property is to be held by the United States, particularly the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Bureau of Indian Affairs, and/or the United States Marshals Service, in its secure custody and control.

3. That the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty

or Maritime Claims and Asset Forfeiture Actions, of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General may direct, pursuant to 18 U.S.C. § 982(b)(1) and 21 U.S.C. § 853(n)(1), and to make its return to this Court that such action has been completed; and

4. That upon adjudication of all third-party interests, if any, the Court will enter a Final Order of Forfeiture.

DATED this 3rd day of June, 2021.



SUSAN P. WATTERS
United States District Court Judge